

Executive Summary of 2009 Ordinance Proposal March 5, 2009

Amendments consolidate three existing animal code provisions, Chapter 6.12 (animal maintenance) and Chapter 6.16 (Cats) into one code, Chapter 6.04. Proposed effective date for ordinance is July 1, 2009, so that all impacted stakeholders have time to be educated on amendments and to update licensing and vaccination forms.

1. New pit bull ownership restrictions

- a. Requires all adult pit bulls to be micro chipped within 6 months of ordinance adoption.
- b. Requires mandatory surgical sterilization of all adult pit bulls within 6 months of ordinance, unless the owner obtains a dog breeder's license.
- c. Makes it unlawful for anyone to own more than two adult pit bulls.
 - Exempts those owners with valid animal maintenance permits for more than two pit bulls at the time of adopted ordinance (for the life of those animals only)
- d. Provides right to appeal determination that any dog is a pit bull and allows vets to certify that the dog is not a pit bull.
- e. Exempts pit bull dogs being kept temporarily in city for legitimate dog shows and service dogs.
- f. Breeder's license will allow no more than two unaltered adult pit bulls. Breeder's license cannot be issued for residential premises.

Reason for amendments: 25%-30% of all dog activities are associated with pit bulls.

2. Amendments to allow flexibility with rabies vaccination schedule

- a. Requires dogs, cats, and ferrets to be vaccinated for rabies by a licensed DVM at least every three years with a vaccine listed in the National Association of State and Public Health Veterinarians Compendium for Rabies Control.
- b. Requires annual certification and tags by a vet, that each dog has been properly vaccinated for rabies for licensing.
- c. Provides exemption for three year rabies vaccination requirements if a vet certifies it would be injurious to the animal due to its health or age.
- d. Continues annual dog licensing.

Reason for amendments: Concerns expressed by veterinarians and animal owners regarding necessity of annual vaccinations and health concerns caused by frequency of vaccinations.

3. New animal nuisance provisions

- a. Provides for health officer and other law enforcement officers authority to issue notices to appear for nuisance animals.
- b. Deals with repeated cat/dog defecation issues, animals getting into trash, noisy animals, damage of property, dog barking, etc.

Reason for amendments: Addresses neighborhood complaints that are frequently made to Environmental Services.

4. Commercial Animal Establishments

- a. Revisions add grooming shop, auction, riding school, stable, guard dog service, dog trainer or other businesses which keep or maintain animals in stock for retail or wholesale trade or sale.
- b. Requires proper compliance with Unified Zoning Code.

Reason for amendments: Addresses health and sanitation issues which are inherent with these types of establishments.

5. Comprehensive changes to Animal Maintenance Permit system and increased fees

- a. Revises requirements for AMP application and for maintenance of domestic animals.
- b. Revises ownership requirements for livestock including mandatory acreage requirements.
- c. Clarifies maximum number of animals allowed.
 1. Sets maximum number without AMP at:
 - No livestock without AMP
 - 2 dogs
 - 2 cats
 - 2 rabbits
 - 3 fowl or pigeons
 - No more than 3 “kinds” of animals without AMP
 2. Establishes maximum number of animals allowed with an AMP at:
 - 4 dogs
 - 4 cats
 - 12 fowl (25 pigeons)
 - 1 per acre livestock – cow, horse, goat, sheep, ratite (emu) - NEW
 - 1 neutered Vietnamese pot bellied pig
 - 12 rabbits
 - 25 fur-bearing animals such as chinchillas, mink, etc. (for fur harvest)
- d. Revises fee schedule for AMPs
 - Dogs & cats: from \$20 to \$25
 - Livestock: from \$20 or \$50 to \$100
- e. Establishes system for revocation of and appeal of the revocation/denial of AMPs.
- f. Establishes a system for requesting an animal variance and revocation and appeal of revocation/denial of such variance by Director of Environmental Services.

Reason for amendments: Clarifies code requirements for animal ownership. Establishes a set process and standards for the issuance, revocation and denial of such permits.

6. Changes to Breeder's License requirements including alignment with Unified Zoning Code

- a. 'Dog Breeder' means a person who raises or produces dogs or puppies for sale or profit.
 - It is presumed that a person who advertises the sale of dogs or puppies or a person who owns two or more unaltered female dogs is a dog breeder. Such term includes persons who are licensed by the State of Kansas as an Animal Dealer, Retailer Breeder, Animal Breeder, Hobby Breeder or Hobby Kennel. Such term shall include a person who owns one or more unaltered pit bulls.
- b. Must issue breeders licenses in accordance with Unified Zoning Code. Breeders not allowed in residential areas.

Reason for amendments: Provides clarity of breeder license requirements and mechanism for enforcement of current breeding licensing rules. Amendment is necessary to comply with current Unified Zoning Code provisions.

7. New regulations for dog parks

- a. Establishes designation of off-leash areas of dog parks by directors of ES and Parks Dept.
- b. Establishes rules and regulations for off-leash dog parks.

Reason for amendments: Two new dog parks are to be established in Wichita. Rules are necessary for liability and use purposes.